

APPENDIX H
Local, State and Federal Agency Letters

RESOLUTION IN FAVOR OF
STONE MOUNTAIN WIND FARM

WHEREAS, TVA has a program known as "Green Power Switch", which is a renewable energy initiative whereby TVA is seeking to increase its electricity generated from renewable sources, such as wind; and

WHEREAS, TVA is looking at a site on Stone Mountain in Johnson County, Tennessee as a potential site for the construction of fourteen (14) wind turbines which would provide a minimum of twenty (20) megawatts of additional wind power; and

WHEREAS, the Board of Commissioners for Johnson County, Tennessee understands the need for renewable resources and is concerned about problems associated with burning fossil fuels; and

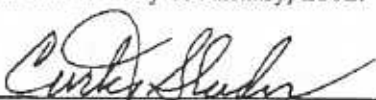
WHEREAS, it appears from the environmental assessment and other factors which have been considered that Stone Mountain may well be a suitable place for the placement of a wind facility; and

WHEREAS, the Board of Commissioners for Johnson County believes that the proposed Wind Farm Program would benefit the citizens of Johnson County, Tennessee.

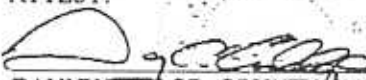
THEREFORE, be it resolved by the Board of Commissioners for Johnson County, Tennessee that TVA continue to explore the suitability of Stone Mountain as a site for the construction of a wind turbine facility and if it is determined that the site is suitable and meets the necessary environmental standards that TVA is encouraged to complete the project in Johnson County, Tennessee.

THEREFORE, upon Motion by Commissioner Harold Shoemaker, seconded by Commissioner David Pleasant, and after roll call vote with 22 Commissioners voting yes.

It is therefore RESOLVED this the 17th day of January, 2002.


CURTIS SLUDER, COUNTY EXECUTIVE

ATTEST:


DANNY CULLOP, COUNTY CLERK

RESOLUTION
of the
OLIVER SPRINGS TOWN COUNCIL
supporting the T.V.A
WIND FARM on BUFFALO MOUNTAIN

WHEREAS, the Tennessee Valley Authority (T.V.A.) is considering the construction of a wind farm and energy storage plant on Buffalo Mountain in Anderson County, Tennessee, near Oliver Springs; and,

WHEREAS, in the past the Town of Oliver Springs has had an outstanding working relationship and business relationship with T.V.A.; and,

WHEREAS, the Town of Oliver Springs desires to continue to work with T.V.A. for the improvement of the immediate and the surrounding geographic areas; and,

WHEREAS, the Town of Oliver Springs wishes to advise T.V.A. that it is ready, willing, and able to work with T.V.A. in order that the wind farm and the energy storage plant can be located on Buffalo Mountain in Anderson County, Tennessee:

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Oliver Springs that T.V.A. is strongly encouraged to build the wind farm and energy storage plant on Buffalo Mountain in Anderson County, Tennessee:

NOW, THEREFORE, BE IT FURTHER RESOLVED that T.V.A. is advised that the Town Council of the Town of Oliver Springs will work with and support T.V.A. wherein the wind farm and energy storage plants can be built and operated on the Buffalo Mountain area.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a certified copy of this Resolution of Support be transmitted to T.V.A.

THIS ADOPTED UNANIMOUSLY this 17th day of January, 2002.

Respectfully submitted,


JOSEPH H. VAN HOOK
City Recorder

Resolution to support the T.V.A. Wind Farm on Buffalo Mountain

Whereas, the Tennessee Valley Authority (T.V.A.) is considering the construction of a wind farm and energy storage plant on Buffalo Mountain in Anderson County, Tennessee, near Oliver Springs; and,

Whereas, in the past Anderson County has had an outstanding working relationship with T.V.A.; and,

Whereas, Anderson County desires to continue to work with T.V.A. for the improvement of the immediate and surrounding geographic areas; and,

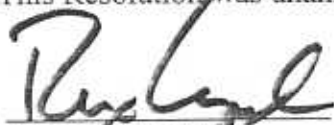
Whereas, Anderson County wishes to advise T.V.A. that it is ready, willing, and able to work with T.V.A. in order that the wind farm and the energy storage plant can be located on Buffalo Mountain in Anderson County, Tennessee:

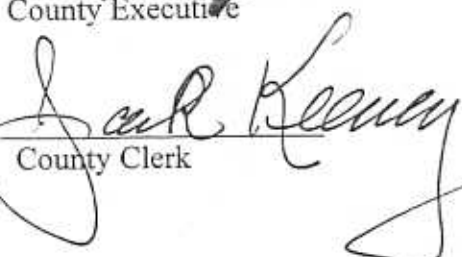
Now, therefore, be it resolved by the Anderson County Commission that T.V.A. is strongly encouraged to build the wind farm and energy storage plant on Buffalo Mountain in Anderson County, Tennessee:

Now, therefore, be it further resolved that T.V.A. is advised that the Anderson County Commission will work with and support T.V.A. wherein the wind farm and energy storage plants can be built and operated on the Buffalo Mountain area,

Now, therefore, be it further resolved that a certified copy of this Resolution of Support be transmitted to T.V.A.

This Resolution was unanimously approved this 22nd day of January, 2002.


County Executive


County Clerk



United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

January 29, 2002

Mr. Jon M. Loney
Manager, NEPA Administration
Environmental Policy and Planning
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37902-1499

Re: FWS #02-0790

Dear Mr. Loney:

Thank you for your correspondence of January 7, 2002, regarding the Tennessee Valley Authority's (TVA) Draft Environmental Assessment (EA) for a proposed 20-MW windfarm and associated energy storage facility to be located on Buffalo Mountain in Anderson County, Tennessee, or Stone Mountain in Johnson County, Tennessee. TVA proposes to construct from 13 to 16 wind turbines and operate a RegenesysTM Energy Storage Facility at one of the selected windfarm sites. Fish and Wildlife Service (Service) personnel have reviewed the document and we offer the following comments.

The environmental assessment adequately describes the resources within the two project areas and the proposed actions' impact on these resources. Obviously, Alternative 3 (no action alternative) would result in no adverse impacts to fish and wildlife resources. If one of the other alternatives is chosen, we believe that the Stone Mountain Windfarm (Alternative 2) would have the fewest impacts to fish and wildlife resources between the action alternatives. We are concerned, however, with the potential adverse effects of rotating blades to migratory birds. Since these turbine structures will require lighting, we recommend the use of white flashing strobe lights as dim as legally possible, with flash time intervals as long as legally possible, and with the flash as brief as legally possible. These recommendations are intended to reduce the attraction of lighted turbine structures and rotating rotor blades to migratory birds and, if implemented, should lessen their mortality from collisions with these turbine structures and associated appurtenances.

We further recommend that the yearly monitoring that is already being conducted at the three wind turbines on Buffalo Mountain be continued, and that TVA continue providing this office with a timely copy of the monitoring results. These results should include species names and numbers of individual species. The Service further supports TVA's mitigation measures to minimize disturbance to the yellow-bellied sapsucker and Weller's salamander at the Stone Mountain site.

Thank you for the opportunity to comment on this proposed action. If you have any questions regarding the information which we have provided, please contact Wally Brines of my staff at 931/528-6481, extension 222.

Sincerely,



for Lee A. Barclay Ph.D.
Field Supervisor



TENNESSEE WILDLIFE RESOURCES AGENCY

ELLINGTON AGRICULTURAL CENTER
P. O. BOX 40747
NASHVILLE, TENNESSEE 37204

January 30, 2002

Ms Anita Rose
Tennessee Valley Authority
P. O. Box 1649
Norris, TN 37828

RE: COMMENTS REGARDING TVA DRAFT ENVIRONMENTAL ASSESSMENT –
20-MW WINDFARM AND ASSOCIATED ENERGY STORAGE FACILITY

Dear Ms. Rose,

The Tennessee Wildlife Resources Agency (TWRA) appreciates this opportunity to provide comments on the environmental assessment associated with the proposed 20-MW Windfarm and energy storage facility. Our comments are based on the review of sections 3.9 Terrestrial Ecology, 3.10 Aquatic Ecology and 3.11 Threatened and Endangered Species.

It is urged that if decides to expand its Green Power Switch program with additional wind-generated power, that the Buffalo Mountain Windfarm be expanded to accommodate the additional turbines and energy storage facility. Our position was determined based on the considerations listed below.

Consideration for Expanding the Buffalo Mountain Windfarm.

Topography and Vegetation

The topography and vegetation occurring on Buffalo Mountain, Anderson County, Tennessee, has been extensively modified by historic mining activities and limited timber harvest. Topography of the site has been altered with benches and high walls. Re-claimed strip-mined areas harbor several plant species identified by the Tennessee Exotic Pest Plant Council as invasive exotics. These plants include autumn olive, sericea lespedeza, Nepalgrass and Japanese honeysuckle.

The Stone Mountain site is primarily forested with evidence of past logging. A stand of Fraser fir, which is listed as threatened in Tennessee and ranked G2 (imperiled) by the Nature Conservancy, is found on the proposed site. Fraser firs are being drastically impacted range-wide by the Balsam Woolly-adelgid. Protection of this stand of Fraser fir trees is warranted by this fact alone.

The State of Tennessee

AN EQUAL OPPORTUNITY EMPLOYER

Wildlife

Potential impacts to avian species are of concern. Monitoring at the Buffalo Mountain site during late 2000 and 2001 has provided information describing the impacts of current turbine operation. From "Buffalo Mountain Windfarm Bird and Bat Monitoring Report, 2001" higher rates of bird mortality were reported for Buffalo Mountain when compared nationally. However, there are only two short-term studies identified in the southeast for comparison. Fall studies at both Buffalo Mountain and Stone Mountain suggest that migration use of Stone Mountain is greater than Buffalo Mountain. Therefore it is reasonable to conclude the potential for migrating passerine mortality is greater at Stone Mountain.

The Cerulean Warbler and Golden-wing Warbler are found on the Buffalo Mountain site. Both of these species are considered In Need of Management in Tennessee. Recent surveys indicate areas in Anderson, Campbell, Scott, Morgan and Cumberland Counties are providing breeding and nesting habitat for these bird species. This area of Tennessee is a significant nesting area for the species. Likewise, the Stone Mountain site is providing nesting habitat for the Yellow-bellied Sapsucker. This site provides one of only two known nesting localities from Tennessee.

Potential impacts to bat species are also a concern. Monitoring at the Buffalo Mountain sites documented seven species of bats using the area. Limited effort was expended monitoring bat activity at the Stone Mountain site. We concur that all the bat species found at Buffalo Mountain could occur at the Stone Mountain site. Additionally, the eastern big-eared bat may also occur on Stone Mountain. This bat species is listed as In Need of Management in Tennessee.

Weller's Salamander, listed as In Need of Management in Tennessee, is known to occur at the Stone Mountain site. The range of Weller's Salamanders is very restricted to mesic deciduous and spruce-fir forests of S.W. Virginia, W. North Carolina and E. Tennessee. This species typically occurs on ridgetops above 1500 m. Habitat for this species is limited in Tennessee.

Aquatic Ecology

The watercourses in the vicinity of the Buffalo Mountain site are wet weather conveyances and do not support aquatic life. Streams that would receive runoff from the site have previously been impacted by the siltation and water quality degradation associated with strip mining. Rare fish species such as the Tennessee dace, ashey darter, and emerald darter are known to occur in the Poplar Creek and New River systems. Though known from the systems, they have not been documented near the Buffalo Mountain site, and apparently no impacts from the existing facility have been identified. Additionally, however, siltation associated with construction and facility maintenance of the Buffalo Mountain site must be controlled to alleviate any potential for impact.

Likewise, watercourses in the vicinity of the Stone Mountain site do not support aquatic life. However, Roan Creek would eventually receive the runoff from the Stone Mountain site. This creek is managed as a put-grow-take trout fishery.

If in fact TVA rejects the No-Action Alternative and expands its Green Power Switch program, the TWRA suggests expansion of the Buffalo Mountain Site.

Again, thank you for this opportunity to comment. If you have any questions, please feel free to call at (615) 781-6619.

Sincerely,

A handwritten signature in cursive script that reads "Richard Kirk".

Richard Kirk, Coordinator
Nongame and Endangered Species Program

cc: Bob Ripley

Larry Marcum

David McKinney

Dan Sherry

File



State of North Carolina

Roy Cooper
Attorney General

February 4, 2002

Ms. Anita Rose
Tennessee Valley Authority
P.O. Box 1649
Norris, TN 37828

Transmission by U.S. Mail, facsimile to (865) 632-1493
and e-mail: akrose@tva.gov

Re: Environmental Assessment for the 20-MW Windfarm and Associated Energy Storage System Facility

Dear Ms. Rose:

I am making these comments on behalf of the State of North Carolina in my capacity as North Carolina's Attorney General. The State of North Carolina is pleased that TVA is considering wind-generated electricity alternatives. Like TVA, we are very interested in protecting the quality of our air and believe it is important to explore alternative ways to provide and conserve energy while pursuing that goal. It is, of course, also important when evaluating various alternatives in pursuit of this goal to balance them wisely with other important public values and concerns. It is mainly for this purpose that I write.

Unfortunately, the Environmental Assessment ("EA") has misinterpreted North Carolina's public policy with regard to mountain ridge top protection as set forth in "North Carolina Mountain Ridge Protection Act of 1983" N.C. Gen. Stat. §§ 113A-205 et seq. This public policy should be given due consideration and weight, because the Stone Mountain site is almost on the Tennessee-North Carolina border, and the EA itself concludes that "construction and operation of the [Stone Mountain] windfarm facilities would permanently alter the visual landscape character resulting in a significant [adverse] visual impact [in Watauga County, North Carolina,]" and "would create substantial visual discord and adverse contrast while reducing scenic attractiveness and tranquillity." (EA 4-30, 4-31).

The North Carolina Mountain Ridge Protection Act of 1983 N.C. Gen. Stat. §§ 113A-205 et seq. (1999)), prohibits the construction of buildings or structures over 40 feet tall on protected mountain ridges in North Carolina. According to the EA, "The North Carolina Act specifically excludes structures of a slender nature from being considered "tall buildings or structures"

regulated under the act." (EA 3-43) Apart from noting, correctly, that the windfarm will not actually be in North Carolina, this brief discussion is the EA's entire analysis of the North Carolina policy. It implies clearly, but incorrectly, that the North Carolina Mountain Ridge Protection Act would permit construction of the proposed windfarm in North Carolina. This is not the case.

The North Carolina Act must be interpreted in light of its purposes. These include the legislative finding that "Tall or major buildings and structures located on ridges are a hazard to air navigation and persons on the ground and detract from the natural beauty of the mountains." N.C. Gen. Stat. § 113A-207. In light of these findings, a windfarm such as that proposed here, with 13 to 16 300-foot high towers (including the rotors) with flashing stroboscopic lights, spaced on average 900 feet apart for two miles along the top of a 4400 foot high mountain ridge, cannot properly be construed to fall within the exception for "Structures of a relatively slender nature and minor vertical projections of a parent building, including chimneys, flagpoles, flues, spires, steeples, belfries, cupolas, antennas, poles, wires, or windmills." N.C. Gen. Stat. § 113A-206 (3)(b). The Legislature in 1983 had in mind, the traditional, solitary farm windmill which has long been in use in rural communities, not windfarm turbines of the size, type or certainly number proposed here, especially when *"all the turbines would probably be seen together from most viewing locations."* (EA 4-31)

The North Carolina Mountain Ridge Protection Act also has an exception for "any equipment for the transmission of electricity or communications or both," much like the Johnson County Act. N.C. Gen. Stat. § 113A-206 (3)(a) However, this exception would not apply to the proposed windfarm. The proposed windfarm would clearly be a "generating" facility. Traditionally, electricity generation and electricity transmission are viewed as distinct and separate concepts and functions.

Indeed, separate certificates from our Utilities Commission are required for construction of electric transmitting lines and electric generating facilities. N.C. Gen. Stat. § 62-110; N.C. Gen. Stat. § 62-110.1. We believe that no interpretation of N.C. Gen. Stat. § 113A-206 (3)(a) is required. The windfarm would not be included within the exception by the plain meaning of the word "transmission." However, even if one were to conclude that there was some ambiguity requiring interpretation, we see no basis in this statute to read "transmission" more broadly. It is easy to see why the legislature would wish to make an exception for transmission lines which typically run up one side of a ridge, over the top at one point and down the other side. Such lines do relatively little to interfere with the beauty and integrity of a ridge line or create a potential safety hazard. The windfarm proposed here is a far cry from such a minimal intrusion.

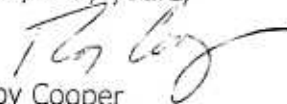
The EA may well be correct that The Mountain Ridge Protection Act of Johnson County appears to be modeled after the North Carolina Mountain Ridge Protection Act and that the definition of protected mountain ridges used in the North Carolina statute is essentially the same as in the Johnson County Act. We do not purport to be experts in Tennessee law. However, for the reasons just mentioned, we question the validity of the EA's conclusion, apparently without analysis, that the exemption for equipment used for the "transmission of electricity" in the Mountain Ridge Protection Act of Johnson County exempts its application to the proposed windfarm "generating"

Ms. Anita Rose
February 5, 2002
Page 3

equipment. We would be surprised if Tennessee law, like North Carolina's and that of most states, generally does not distinguish between electric *generating* facilities and electric *transmission* facilities.

We hope that you will give these comments due consideration and weight when considering the Stone Mountain alternative.¹ Thank you for the opportunity to make these comments on behalf of the State of North Carolina.

Very truly yours,


Roy Cooper

RAC/sm

cc: The Honorable Michael F. Easley, Governor
State of North Carolina
The Honorable William Ross, Secretary
Department of Environment & Natural Resources

¹ We agree with your EA that "Comparing the two proposed locations for the windfarm, [the Stone Mountain] alternative would have greater visual impact due to the undisturbed ridge lines, clear views from the adjacent valleys, closer viewing distances, and absence of other features that disturb the visual harmony of the tranquil countryside." (EA 4-33) The EA makes clear that Buffalo Mountain has been significantly altered already by past strip mining. Beyond that, however, we express no opinion about the merits of the Buffalo Mountain alternative.

The Town of Mountain City
210 SOUTH CHURCH STREET
MOUNTAIN CITY, TENNESSEE 37683
TELEPHONE (423) 727-8005 • FAX (423) 727-2925

HARVEY BURNISTON, SR.

Mayor

(423) 727-2940

TERRY G. REECE

City Recorder

(423) 727-2916

Aldermen

INA BELLAMY

DANNY CUNNINGHAM

KEVIN PARSONS

BOB MORRISON

February 6, 2002

Mr. Don McGee
TVA
Knoxville, TN 37920

Re: Town of Mountain City Concerning Windmill Farm

Dear Mr. McGee:

The Town of Mountain City in our November 2001 meeting discussed with TVA officials the proposed wind farm in Johnson County.

The Board of Mayor and Aldermen told TVA officials that we would work with them to furnish water and sewer to their proposed site to include sale of city property for their storage facility.

This position was re-affirmed last evening in our February 05, 2002 Board of Mayor and Aldermen meeting.

Please call me at (423) 727-8005 if you wish to further discuss.

Sincerely,



Harvey Burniston, Mayor
Town of Mountain City

TGR/dn

CC: File
Board of Mayor and Aldermen

**STATE OF TENNESSEE****DON SUNDQUIST**
GOVERNOR

February 7, 2002

Charles P. Nicholson
Tennessee Valley Authority
WT 8C
400 West Summit Hill Drive
Knoxville, TN 37902-1499

Dear Mr. Nicholson:

The State of Tennessee is very pleased to comment on TVA's draft environmental assessment for the proposed 20 MW windfarm and energy storage facility.

The State supports TVA's Green Power SwitchTM program, and commends TVA for taking this step to acquire 20 megawatts (MW) of electricity from 13 to 16 new wind turbines. These additional megawatts of wind power represent progress on developing renewable energy resources in the Southeast. The state looks forward to working with TVA to expand the success of the Green Power SwitchTM program through public education and by extending the program to more distributors and more Tennesseans. Tennessee endorses the proposed wind farm as an important addition to TVA's power generation system.

The environmental impacts of the proposed facilities appear modest, with impacts on scenic vistas and bird and bat mortality the most significant concerns. The environmental assessment characterizes the visual impact at the Buffalo Mountain alternative as moderate, and the impact at Stone Mountain as significant.

After installing the first three wind turbines on Buffalo Mountain, TVA monitored bird and bat mortality caused by the turbines and other structures. TVA expects that the new wind turbines, combined with the three existing turbines, will kill at least 65 to 163 birds per year, and 136 to 162 bats per year.

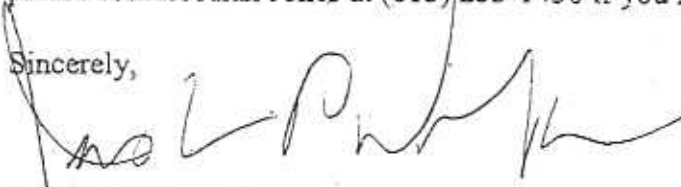
The visual impact and species mortality are valid concerns, and we encourage TVA to continue to seek methods for avoiding species mortality. But those impacts must be weighed with the benefits of this technology. There are no impact-free energy technologies, and wind power has significant environmental benefits. The State believes TVA should proceed with wind power development.

The proposed energy storage facility sounds like promising and valuable technology. The environmental assessment, however, is not clear about the extent to which the RegenesysTM technology is fully demonstrated and understood. The assessment notes that TVA is constructing a RegenesysTM facility in Columbus, Mississippi, to demonstrate its use. Tennessee recommends that TVA consider delaying a decision on the energy storage facility for the new wind farm until the performance of the test facility can be more fully evaluated. Eliminating the energy storage facility from the EA would simplify completion of the final assessment.

TVA has been a leader in the Southeast in developing renewable sources of energy under the Green Power SwitchTM program. It is essential that TVA continue that leadership role with well-planned development of renewable energy resources in the Tennessee Valley. The 20MW windfarm is an important step in that development.

Thank you for the opportunity to comment on TVA's Environmental Assessment and please contact Alan Jones at (615) 253-1436 if you need additional information.

Sincerely,



Justin P. Wilson
Deputy to the Governor for Policy

CASS BALLENGER
10TH DISTRICT, NORTH CAROLINA
DEPUTY MAJORITY WHIP
REPUBLICAN STEERING COMMITTEE

COMMITTEE ON EDUCATION
AND THE WORKFORCE
SUBCOMMITTEE ON WORKFORCE PROTECTIONS
EMPLOYER-EMPLOYEE RELATIONS
INTERNATIONAL RELATIONS COMMITTEE
SUBCOMMITTEE ON WESTERN HEMISPHERE
(CHAIRMAN)
SUBCOMMITTEE ON INTERNATIONAL
OPERATIONS AND HUMAN RIGHTS

Congress of the United States
House of Representatives
Washington, DC 20515-3310

FAXED

February 7, 2002

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www.house.gov/ballenger/

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HICKORY, NC 28603
828-327-6100
1-800-477-2576 TOLL FREE

Ms. Anita Rose
Tennessee Valley Authority
P.O. Box 1649
Norris, TN 37823

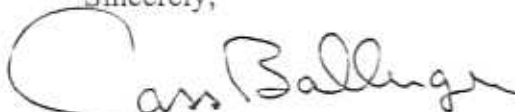
Dear Ms. Rose:

My constituent, Mr. Daniel R. Silvie, has contacted me about his concerns regarding the environmental impact a wind turbine power generating facility the Tennessee Valley Authority (TVA) proposes placing in Tennessee will have on nearby locations in North Carolina. Mr. Silvie's concerns are identical to those raised by North Carolina Attorney General Roy Cooper in a letter he recently sent to you. I have enclosed a copy of the Attorney General's letter for reference purposes.

A large portion of the area affected by the proposed project lies within my congressional district. I am greatly concerned about the potential impact this may have on my constituents. My reservations go beyond the technical question of North Carolina Ridge Law compliance and simple aesthetics. The largest employer and tax base in the affected area is the tourism industry. The catalyst for that industry is the scenic beauty of the Blue Ridge Mountains. Clearly, the serious detractor from that beauty this project presents will deal a severe blow to the local economy.

I would appreciate you keeping me advised of developments in this matter. Please address your response to my Hickory District Office, P.O. Box 1830, Hickory, NC 28603.

Sincerely,



Cass Ballenger
Member of Congress

CB/dlm

Enclosures

CITY OF OAK RIDGE



OFFICE OF THE MAYOR

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

February 21, 2002

Mr. Glenn L. McCullough, Jr.
Chairman, Board of Directors
Tennessee Valley Authority
400 W. Summit Hill Drive
Knoxville, TN 37999

EXPANSION OF WINDFARM FACILITIES

Dear Mr. McCullough:

Enclosed is a certified copy of Resolution Number 2-16-02 as unanimously adopted by the Oak Ridge City Council during its regular meeting on February 18, 2002.

As you will note, the resolution contains the City of Oak Ridge's endorsement of TVA's proposal to acquire 20 MW of windfarm-generated electricity for its Green Power Switch program and to construct an associated energy storage facility. Further, the Oak Ridge City Council joins with the Anderson County Commission in strongly encouraging the TVA to locate this project on the site of its existing windfarm facility on Buffalo Mountain in Anderson County.

Please give our position in this matter, as expressed in the resolution, your due consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Davis R. Bradshaw".

Davis R. Bradshaw
Mayor

jb

Enclosure

cc: Ms. Anita Rose, TVA
Anderson County Commission

RESOLUTION

WHEREAS, the Tennessee Valley Authority (TVA) proposes to acquire electricity from a windfarm either on Buffalo Mountain in Anderson County, Tennessee, or on Stone Mountain in Johnson County, Tennessee, and also proposes to construct and operate a Regenesys™ Energy Storage Facility near the selected windfarm site; and

WHEREAS, the purpose of this project is to acquire about 20 MW of wind-generated electricity for TVA's Green Power Switch™ program and to construct an associated energy storage facility that would store the wind-generated energy during periods of low demand and release it during periods of high demand; and

WHEREAS, Green Power Switch™ is a program designed by TVA to offer its customers the option of purchasing electricity generated from a renewable source with relatively low environmental impacts; and

WHEREAS, TVA began generating electricity from wind in October 2000 at a small windfarm on Buffalo Mountain consisting of three wind turbines with a maximum generation capacity of 2 MW, and because the operation of this existing windfarm has met expectations, TVA proposes to add about 20 MW to its system in order to make Green Power Switch available to more customers; and

WHEREAS, the City of Oak Ridge is a participant in the Green Power Switch program and supports TVA's efforts to increase its availability; and

WHEREAS, it would appear prudent and logical for TVA to use the site of the existing windfarm facility on Buffalo Mountain for this expansion project; and

WHEREAS, the Anderson County Commission has adopted a resolution strongly encouraging TVA to build the windfarm and energy storage facility on Buffalo Mountain in Anderson County.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCILMEN OF THE CITY OF OAK RIDGE, TENNESSEE:

That the City of Oak Ridge endorses and supports TVA's proposal to acquire 20 MW of wind-generated electricity for TVA's Green Power Switch™ program and to construct an associated Regenesys™ Energy Storage Facility.

BE IT FURTHER RESOLVED that this Council joins with the Anderson County Commission in strongly encouraging the Tennessee Valley Authority to locate this project on the site of its existing windfarm facility on Buffalo Mountain in Anderson County, Tennessee.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be transmitted to the Tennessee Valley Authority.


This the 18th day of February 2002.

APPROVED AS TO FORM AND LEGALITY:


City Attorney


Mayor

I, Jacquelyn J. Bernard, City Clerk of the City of Oak Ridge, Tennessee, certify this document to be a true and exact copy of Resolution No. 2-16-02 as adopted by the Oak Ridge City Council on February 18, 2002.


City Clerk


City Clerk



TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

April 22, 2002

Mr. J. Bennett Graham
Tennessee Valley Authority
Cultural Resources
Post Office Box 1589
Norris, Tennessee 37828-1589

RE: TVA, ARCHAEOLOGICAL ASSESSMENT, WIND TURBINE DEV'T/BUFFALO MTN,
UNINCORPORATED, ANDERSON COUNTY, TN

Dear Mr. Graham:

At your request, our office has reviewed the above-referenced archaeological survey report in accordance with regulations codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739). Based on the information provided, we find that the project area contains no archaeological resources eligible for listing in the National Register of Historic Places.

Therefore, this office has no objection to the implementation of this project. If project plans are changed, additional new right-of-way is necessary, or archaeological remains are discovered during construction, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act.

Your cooperation is appreciated.

Sincerely,

Herbert L. Harper
Executive Director and
Deputy State Historic
Preservation Officer

HLH/jmb

April 22, 2002